

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Dharoor (Mandal)
Dyagadoddi H/o.Uppair (V) - O.P.No.24/1996 - Sanction of decretal charges of
Rs.4,86,423/- Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 242

DATE:03.04.2009

Read:

From the Secy.to Spl.CS to Govt & CCLA, AP, Hyd.Lr.No.SRP4/1312
2008/ DT:06.01.09 along with the Special Collector, LA, Bheema Project,
Mahabubnagar dt: 11.09.2008.

O R D E R:

The Secy.to CCLA, AP, Hyderabad has informed that the Special Collector, Land Acquisition, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.24/96 pertaining to Dyagadoddi H/o.Uppair (V) Dharoor (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of Acs.2-36 gts in the limits of Dyagadoddi H/o.Uppair (V) Dharoor (M) for the purpose of PJP by fixing the market value @Rs.29,000/- for Wet, @Rs.26,000/- for ID and @Rs.24,000/- vide Award No.61/99, dt:28.07.99. The awardees have filed their petitions U/s.18 of the L.A.Act. The said petition were referred to the Court of Sr.Civil Judge, Gadwal for adjudication. The Sr.Civil Judge, Gadwal has enhanced the market value fixed by the LAO from Rs.29,000/- for Wet & ID to Rs.89,000/- and from Rs.24,000/- to Rs.62,300/-. The Asst.Govt.Pleader, Gadwal furnished the certified copies of judgment and decree along with his opinion stating that the Sr.Civil Judge, Gadwal has enhanced the market value abnormally and it is fit case for appeal and also advised to obtain stay petition. As per the opinion of the Asst.Govt.Pleader and as per G.O.Ms.No.79, dt:19.04.2006, the SDC has filed appeal in Hon'ble Hih Court of A.P, Hyd on 02.06.2008. The G.P for Appeals, Hyd has returned the appeal material and informed that he had gone through the judgment and decree in O.P.No.24/96 on the file of the Sr.Civil Judge, Gadwal on 28.02.2008 in this batch cases the Hon'ble High Court uniformly enhanced the market value of the acquired @Rs.89,000/- per acre, which was carried to the Hon'ble Supreme Court. The Hon'ble Supreme Court confirmed the judgment of Hon'ble High Court. The Reference Court relief on A.S.No.1741/2005, wherein the land is acquainted by the notification and for the same purpose.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.4,86,423/- (Rupees Four lakhs eighty six thousand four hundred and twenty three only)** in respect of O.P.No.24/96 pertaining to Dyagadoddi H/o.Uppair (V) Dharoor (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – S.H (26) – Dams and Appurtenant works – 530 – Major works 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the proposal requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.1043/F2(2)/2009-1, dated 26.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.3502/LA.III(A2)/2009

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER